

NEED FOR A KEG.

An Eighth of Beer Responsible for the Violent Death of James Enright, Last November.

THREE MEN TRIED FOR THE CRIME.

One of the Accused a Policeman, the Owner of a Revolver, a Chamber of Which Was Empty.

THOMAS COX ADMITS THE KILLING.

He Claims He Either Had to Do It Enright or Be Done Up by Him.

Thomas Cox, Patrick Cox and Timothy Scanlon, the latter a police officer, were placed on trial in the Criminal Court yesterday, for the murder of James Enright, Sunday, November 23. The murder was the outcome of a quarrel over a keg of beer.

Thomas M. Marshall, Sr., and Thomas M. Marshall, Jr., are counsel for the defense, and District Attorney Johnston is conducting the prosecution. The morning was spent in the selection of a jury, and finally the entire panel was exhausted before the requisite number was accepted. The jury is as follows: H. E. Bellinger, James Graham, Charles H. Spencer, Frederick Diets, Edward Riddle, Peter Brant, Frank Snyder, William Ahlers, John Aul, Daniel O. Barr, John Logan and J. B. Griggs.

In opening the case, District Attorney Johnston said the Commonwealth would make no claim for first degree murder, but thought it would be able to prove that the murder was of second degree.

Dr. T. R. Evans, James McCann and Graham were called and testified to having held the post mortem. The bullet entered the left temple, and lodged in the brain, causing death after a few hours. The deceased was physically a very stout, well-built man.

Grant Miller, Coroner's Clerk, identified the clothing taken from the deceased, and the bullet taken from the brain of the deceased by the physician who held the post mortem.

The Origin of the Fatal Quarrel.

Henry Grant, an employee of Carnegie, Phillips & Co.'s Thirty third Street Mill, lived on Thirty-third street, and knew James Enright, having worked with him. About 1 o'clock on the morning of November 23, while passing along Ligonier street, he saw James Enright standing on the porch back of the Cox house. The deceased invited him to have a drink, and he accepted. When the witness went into the kitchen, Thomas Cox, Tim Scanlon and Mrs. Cox were there, and everybody was sober and talking in a pleasant manner. After taking a drink, Enright said "I'll 'scuse now, and take this keg." Thomas Cox said he would not take it, as it belonged to him, and Enright remarked "Well, you see, and picking up the keg of beer, threw it out of the door. Cox and Enright both held of each other, but were separated, and Enright was pushed out of the house. Enright rushed into the house again and grasped Tom Cox by the throat. Both men fell, and Enright struck his eye against the stair rail. Mrs. Cox and Miss Nora Cox ran down then, and Miss Cox released Enright's hold on her brother's throat. Enright was shoved out into the yard by Mrs. Cox and Tim Scanlon. When the men had hold of each other Cox cried out: "You are hitting me, you son of a gun."

The witness started to go home, and when near the door some one burst into the house shortly afterward the witness heard a report like a pistol shot, but did not go back into the house. He could not tell who pushed the shot. On cross-examination witness said that when Enright had Cox by the throat he heard him say something that sounded like: "I'll cut your insides out." When Enright was put out of the house, Cox did not follow him.

Purchasers of the Two Kegs of Beer.

Michael Flobin was in the house before and after the shooting, but was not there when the shot was fired. There were two eighths of beer. One was purchased by James Enright and the other by Thomas Cox. John Carr, who passed the house shortly after the shooting, and found Enright lying on the floor in the Cox house. Mrs. Cox and Nora Cox were in the room at the time. Andrew Weinstein, a police officer, went to the house shortly after the shooting, and found Enright lying on the floor. He searched the house and found all the beds but one occupied. In the room with the unoccupied bed was a policeman's uniform. While up stairs, witness met Scanlon, who said he knew nothing of the affair, but had been in bed. Afterward he said he had not been in bed. The bed in Scanlon's room looked as though it had not been occupied. About a week afterward witness found a revolver on top of a cupboard on the porch. One chamber contained an empty shell, the other was empty. Lieutenant Orth and Officer Birlbaugh corroborated the other witness's testimony. Officer Jacob Schwartz testified that he sold the revolver, found on top of the cupboard, to Scanlon last August. He did not identify the revolver by marks upon it. Gordon McIlwain identified the revolver as the one given him by the witness. Captain Richard Breyer testified that he brought Thomas Cox here from Chicago, where he had been arrested. Defendant came without requisition papers, and refused to make a statement of the shooting, saying he was not ready to do so.

Testimony for the Defense.

This closed the case for the Commonwealth, and Thomas M. Marshall, Sr., opened for the defense. He said they would be able to prove that the shooting had been done in self-defense, and that when Enright was shot he had a pistol in his hand; that the Scanlon and Patrick Cox in no way aided in the killing. Mrs. Briget Cox, the mother of Thomas Cox, was the first witness for the defense. On the night of the shooting she retired to bed at 10 o'clock. Shortly after 11 o'clock she was awakened. On going downstairs she saw Enright holding Thomas Cox by the throat, choking him. Her father, William, put him out, and Enright followed her. Enright held a revolver open the door and came into the house. Enright then placed his revolver on top of the cupboard, where it was afterward found, and left the house. He took a fruit train, and went to Rochester and from there to Chicago where he was arrested. The revolver in evidence he identified as the one with which he shot Enright.

Confession of Thomas Cox.

After supper Thomas Cox, the principal defendant, was placed on the stand. He said he shot Enright, and gave his story of the affair. The party was collected in the house of Cox and were drinking beer. The quarrel over the keg resulted, and was decided by Cox as the victor. Enright said he would not take any more beer, and that he would go home. Enright drew a revolver and pointed it at him. He then fired the shot that killed Enright, leaving for his life. After shooting Enright he placed his revolver on top of the cupboard, where it was afterward found, and left the house. He took a fruit train, and went to Rochester and from there to Chicago where he was arrested. The revolver in evidence he identified as the one with which he shot Enright.

Timothy Scanlon, the third defendant, was placed on the stand. He testified as to the first two assaults by Enright on Cox. The men were struggling, and he separated them and pushed Enright out of the door, locking the door after him. He then went upstairs and a few minutes later heard the shot. He had not seen a weapon in Enright's hands. He gave the police no information about the case until the next day.

After a number of other witnesses were heard, Thomas Cox, recalled, exhibited a mark on his left arm, where he said Enright had bitten him during the fight. The shirt he wore, with blood on the sleeve, was also produced.

Inspector McAleese identified the mark as one shown him by Cox the day he was brought back from Chicago.

The defense rested here, and District At-

torney Johnston called a couple of witnesses in rebuttal. T. M. Marshall, Jr., made the closing argument for the defense. Before he commenced, Judge Stone said he presumed that District Attorney would not press for a conviction of any but Thomas Cox. Mr. Johnston replied that he would not, and would only ask for manslaughter as to Thomas Cox. Mr. Marshall asked for an acquittal of his client on the ground of self-defense. District Attorney Johnston did not think the shooting justifiable, and insisted upon a verdict of manslaughter.

Judge Stone charged the jury briefly, defining to them in a clear and concise manner the distinction between cases that would constitute manslaughter or a case of self-defense.

At 10:30 the jury took the case and retired, and court adjourned until this morning.

OVER THE OIL FIELDS.

SOME DISAPPOINTED PEOPLE WHO DRILLED ABOUT HARMONY.

McCurdy & Co.'s Well Does Not Show Up So Nicely—Harmony's Decline Illustrated by the Young & Co. Duster of Last Saturday.

WILLOWOOD, Feb. 9.—The poor showing of J. M. Guffy & Co.'s Rig No. 3 does not surround the west line of the field with a rosary appearance. The well has been drilled through the sand, of which there was only 35 feet. The well in its present stage will make a light producer, but most likely will be shot. The experimental well on the Shaw farm at Glenshaw, owned by Griffith & McBride, is drilling at 1,800 feet, and by the middle of next week should find the sand.

The New Well at Moon.

MOON P. O.—Much interest is felt to know the result of the well being drilled by Hervey Brothers and others on the James E. McCutcheon farm, about one mile southwest of this place. The well is in the sand and the result should be known to-day. This well is about 120 rods south of the well completed about two months since on the J. J. Guss farm and which has proved a small producer. These wells are located three miles almost due west from the developments in Coraopolis or Finnsburg field. It is believed that the well on the Shaw farm in this field for some months, and has several small producers. The well on the Shaw farm is completed a well on the P. H. Stevenson farm, 120 rods north and a little west of the Guss well, about a year has been completed. It is a good flow of gas. Territory in this locality has been in active demand recently, and good business has been done. Many operators are figuring this as an extension of the Coraopolis or Finnsburg field, but the drill logs absolutely deny this. Boden & Co. have drilled a well on the farm of Samuel Stevenson's heirs, northeast of the Guss well, and F. S. Drake & Co. have a rig up on the Ontost farm, one mile east of the Guss well, and are also drilling a well on the George Springer farm, 80 rods west of the before-mentioned well on the James E. McCutcheon farm.

Increased Production Expected.

JEFFERSON CENTER—The Jefferson Center annex pool at present is looked upon favorably for both an extension of territory and increase of production. T. W. Phillips' Fisher No. 2 well had a production of 40 barrels a day, while Hartman & Son's No. 6 is a good for 100 barrels a day, and No. 5 is making about 70 barrels in 24 hours. On the Knott property, Charles Knott & Co. to-day are 27 feet in the sand with the hole full of oil; it is showing a 12 barrel production. Nearly midway between the Jefferson Center field and Rought Run, Alf Smith & Co. have just completed a dry oil formation; the casing has been pulled and the hole abandoned.

It Was Only a Dryer.

WATERBURY—The Webster & Co. well on the Graham farm, of which mention was made in THE DISPATCH several days ago, has since been drilled through the 100-foot and dry. It is believed that the well on the Graham farm is a water well, and will be used for domestic purposes. On the Martin farm Lupton Bros. & Clark are 16 feet in the 100-foot sand, and will most likely reach the oil. The well on the Drake & Co. No. 8, has a location on the Dunbar farm.

In the Chertiers Sand.

CHARTIERS—The Bear Creek Refining Oil Company No. 2 duster, and the Young & Co. Company No. 2 Johnson farm are both in the sand, with indications for fair wells. Feeley & Gardner on the Thiers farm are also in the sand, with 400 or 500 feet of oil in the hole.

Hanging in the Balance.

MCCURDY—The McCurdy pool is still hanging in the balance, and there will be nothing due here before Wednesday or Thursday. It was reported to-day J. B. Eakin & Co. had struck a large flow of gas in the Gordon sand. There is no material change at the other wells.

Ventures at Thorn Run.

THORN RUN—W. L. Mellon has drilled his No. 6 Kerr through the sand, which will only make a light well. The venture is located 50 feet north from Kerr No. 3. The same party has a well drilling at 1,800 feet on the Cassidy farm, and J. M. Patterson & Co. have another on the Thiers farm. The venture is located 50 feet from the Cassidy farm. The Watson lot will be completed Friday at Coraopolis in pumping 28 barrels a day, and Patterson & Co. have made a location on the Watson lot, three acres. Emerson & Black, who are drilling in bed. No. 8, are down 1,100 feet on the Snowwhite, 1,000 feet on the Curry, and 400 feet on the Rider.

The Producer is Left.

HARMONY—The Young & Co. well which came in a duster Saturday has added another page in the history of Harmony's decline. The transformation that has taken place within a few short months is remarkable. When the field was first opened up the craze for leases had no bounds and a city of crazies sprang up as if by magic. Now the ardor of the festive producer has been quenched by dry wells and diminutive pumps, and it will only be a few days until Harmony, like many of its predecessors, will pass into history as one of the exciting fields of the Southwest. Root & Co. on the lot between the one on which the duster is located have a rig up, but are now halting between two opinions, and it is a question whether they will drill the well. Messrs. Shaffer & Co. are in about the same boat. They have a rig up on the immediate vicinity of the Young well, and are to-day deciding it would be suicidal to squander their money in drilling the well.

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